

REMARKS/ARGUMENTS

Claims 16-25 are pending in this application. The current Official Action cites two new references and applies them to the claims being examined.

Claims 16-18, 20, 24 and 25 have been rejected under 35 U.S.C. §102(b) as lacking novelty over the disclosure in newly cited reference US 5,868,779 (Ruiz). To anticipate claim 16 or any claim dependent thereon, Ruiz must disclose all of the features defined in claim 16.

Having reviewed the Ruiz patent, Applicants find that it discloses a balloon 12 enclosed within a **non-compliant** sheath 14. There is however no disclosure of any fibers actually within the balloon wall to prevent the balloon from stretching as required by claim 16. Instead, the non-stretchable mesh 14 does this. Accordingly, Ruiz does not disclose an essential feature of claim 16 so it cannot anticipate this claim.

The comments in support of the rejection in item 3 of the Official Action are unclear. In paragraph 3 of the Official Action, the Examiner refers to the previously cited Cook patent as disclosing the wall having reinforcing fibers integrally with the balloon wall material which limit radial expansion of the balloon when it is inflated. Applicants are unsure of the relevance of these comments as the rejection is under 35 U.S.C. §102(b), which means that Cook must anticipate each and every feature of claim 16 which it does not for the reasons explained in the last response filed September 22, 2003.

For these reasons, withdrawal of the rejection of claims 16-18, 20, 24 and 25 is in order.

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The remaining claims 19 and 21- 23 in item 6 of the Official Action are rejected as being unpatentable over Ruiz (discussed above) in view of Andersen et al US 4,706,670 – both of these documents are newly cited references.

Applicants have explained the deficiencies in the primary reference of Ruiz in the above discussion. The secondary reference to Andersen does not cure these deficiencies. Accordingly, claims 19 and 21-23 are patentable by virtue of their dependency and otherwise for the reasons explained with the response to the main rejection.

Reconsideration and favorable action are solicited.

Respectfully submitted,

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